No. _____ (3)

Supreme Court, U.S.
FILED
96-314
AUG 6 96
OFFICE OF THE CLERK

In The
Supreme Court of the United States
October Term, 1995

PAUL J. SCHAPIRO,
Plaintiff/Petitioner

v.

SARITA R. SCHAPIRO

MONTGOMERY COUNTY COURT, ET AL
MONTGOMERY COUNTY COURT, DOMESTIC RELATIONS SECTION, DAVID GUTIN, HORACE A. DAVENPORT, HON. ROGER B. REYNOLDS, JR., BERNARD A. MOORE, HON. SAMUEL W. SALUS, II, HON. JOSEPH A. SMYTH, HON. ALBERT R. SUBERS, HON. RICHARD LOWE, HON. MATHEW SANTANGELO, SANDRA NEWMAN, HON., ROBERT KATZ, JEAN BISECKER, ASTOR WEISS KAPLAN & ROSENBLOOM, (FORMERLY ASTOR, WEISS AND NEWMAN), FAIGA RUBENSTEIN, LYNDA SMITH, SUPERIOR COURT OF PENNSYLVANIA, SUPREME COURT OF PENNSYLVANIA JUDICIAL CONDUCT BOARD, WILLIAM ARBUCKEL, III

Defendants/Respondents

ON PETITION FOR WRIT OF CERTIORARI
TO THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT

NO. 848 E.D. ALLOCATUR DOCKET 1995 (BIFURCATION)
AND
NO. 756 E.D. ALLOCATUR DOCKET 1995 (RECUSAL)

PLAINTIFF'S APPENDIX

VOLUME C (State)

George E. Walker, Esquire
234-236 South Eighth Street
Courtyard Entrance
Philadelphia, PA 19107
(215) 925-7440

PUBLISHER'S NOTE :

ORIGINAL PAGINATION IS NOT CONTINUOUS.

IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT

PAUL J. SCHAPIRO	:	**No. 848 E.D. Allocatur Docket, 1995**
	:	
Petitioner	:	**Petitioner for Allowance of Appeal from the Superior Court.**
v.	:	
	:	
SARITA R. SCHAPIRO	:	
	:	
Respondent	:	
	:	
	:	
	:	
	:	

ORDER

PER CURIAM:

AND NOW, this 8th day of May, 1996, the Petition for Allowance of Appeal is denied.

Madame Justice Sandra Schultz Newman did not participate in the consideration or decision of this case.

TRUE COPY FROM THE RECORD
ATTEST: May 8, 1996

PATRICIA JOHNSON
Chief Clerk
Supreme Court of Pennsylvania
Eastern District

IN THE SUPREME COURT OF PENNSYLVANIA

PAUL J. SCHAPIRO,	:	**No. 756 Eastern District**
	:	**Allocatur Docket 1995**
Petitioner	:	
	:	
v.	:	**Petition for Allowance of**
	:	**Appeal from the Superior**
SARITA SCHAPIRO,	:	**Court**
	:	
Respondent	:	
	:	
	:	
	:	
	:	

ORDER

PER CURIAM

AND NOW, this 9th day of May, 1996, the Petition for Allowance of Appeal is denied.

Madame Justice Sandra Schultz Newman did not participate in the consideration or decision of this case.

TRUE COPY FROM THE RECORD
Attest: 5/9/96

_____

John W. Person, Esquire
Deputy Prothonotary
Supreme Court of Pennsylvania
Eastern District

MONTGOMERY COUNTY, PENNSYLVANIA

IN THE COURT OF COMMON PLEAS OF

CIVIL ACTION

PAUL SCHAPIRO,	:	
Defendant	:	
	:	
VS	:	**NO. 91-18417**
	:	
SARITA SCHAPIRO	:	
Plaintiff	:	

CONCISE STATEMENT OF MATTERS
COMPLAINED OF ON APPEAL
(THE CONCISE STATEMENT)

There are a series of events that occurred during this case that are very pertinent that have led to this situation that needs to all be considered in the Concise Statement of Matters Complained of on Appeal.

1. There is a criminal conspiracy pattern through politics continuing with the judges in the Montgomery County Court to derive me - any contact with my two daughters, my right to be a parent, my right to directly support my children, my due process rights and equal protection under the law, my right to return to work, my monies, my property, and recently my freedom for six months.

   This case is replete with criminal acts performed by the Montgomery County Court and the court criminally covering up the criminal acts performed by Gutin, Esquire, Sarita Schapiro, etc. and the higher courts not wanting to get involved and their accepting this behavior as normal policy. The court punishes me (jail, bench warrants, bail, bail revoking, sanctions) for trying to seek justice.

   Instead of each new Montgomery County Court judge coming into my case and stopping the past trend of their progressively making my situation even worse and instead of bringing fairness to this case and correcting the situation without delays by correcting the past obvious mathematical errors, enforcing Judge Joseph A. Smyth's September 20, 1993 court order allowing me minimal visitation (talking privileges with my two daughters (16 years old August 5, 1996 and 11 years old September 16, 1996) and by correcting other past errors made by previous judges in the case, each new Montgomery County Court judge, including Judge Kent H. Albright, in our case seems to have an obligation to protect the criminal acts (errors) made against me in this case by previous judges and therefore protects the criminal conspiracy of previous judges which therefore helps accommodate Sarita and her lawyer, Gutin.

2. Sarita has tortuously and continuous interfered with my minimal visitation rights and this court criminally has not enforced its own orders or taken any action against Saria's contempt. Sarita even prevents my mother from talking with my children. There have been many contempt petitions filed against Sarita Schapiro which have been ignored, refused, mooted, and/or denied.

As of Judge Kent H. Albright's order of March 29, 1996, there was an active order (September 20, 1993) allowing 15 minute talking privileges twice a week with my daughters that my wife violated documented 57 times during the period of time from Judge Joseph A. Smyth's September 20, 1993 order to my May 10, 1994 car accident which neither Judge Joseph A. Smyth (reign in my case July 1994 to July 1995) nor Judge Marjorie C. Lawrence (reign in my case July 1995 to December 1995) would enforce even for one time for Sarita to comply with this minimal visitation right no matter how many contempt petitions were filed and how many times their offices were contacted.

If we had not dealt with the custody issue, I would still be able to have my talking privileges with my two daughters. It is illegal for the court and for Judge Kent H. Albright to not have enforced Judge A. Smyth's September 20, 1993 court order for my talking privileges with my two daughters and to now, as of Judge Kent H. Albright's March 29, 1996 order threatened and coerced me further with no talking privileges. There will be no more extortion of money or up front money paid and there will be no more coercion or threats made to me by Montgomery County

Court. If the court would stop delaying the correction of the support, the order that held me in jail would have been removed. For over 4¾ years, the Pennsylvania courts ignored, refused, mooted, quashed and/or denied every simple request, petition and order of defendant and have granted almost 100% of every request, petition, and order for plaintiff presented by Astor, Weiss, Kaplan and Rosenblum. Judge Kent H. Albright is continuing this pattern by his March 29, 1996 order.

3. In order to communicate with the court to try to get even the slightest justice in my case, I have spent over $400,000 in legal related fees, while not working and having been on disability since my separation date, September 23, 1991. The Montgomery County Court of Pennsylvania has an attachment against my $5,000/month disability income. The Montgomery County Court has criminally delayed over a dozen and one-half more times the correction of the support/Alimony Pendente Lite since July of 1992. The court erroneously based its support calculations on my wrong earning capacity year using $14,500/month instead of correctly using my $5,000/month disability income and giving Sarita Schapiro a ridiculous $350/week Alimony Pendente Lite (approx. $75,000) while Sarita has an approx. $300,000/year gross income and the court uses her ridiculous over-deducted $44,000 net to calculate support. There are now 19 months ($95,000) of attached and unclaimed disability money!

I have sat in jail unjustly for a total of 183 days waiting for the court to correct their mathematical errors and to enforce their own past September 20, 1993 court order for my telephonic communications with my two daughters. The court has been

wasting my time, energy, money, and talent as a podiatric surgeon for the past 4¾ years, while I cannot see or even talk with my two daughters for the past 4¾ years, I cannot work. I am fighting a battle to correct my situation on "fumes" of money. Judge Kent H. Albright has suspended my visitation rights and has taken away my previous right to talk with my daughters.

4 Everything, such as signing Monarch Insurance forms followed by evaluation, etc. in this case, is contingent on the court correcting the numbers fairly and showing a good faith correction of their past errors. The Montgomery County Court needs to honor the conditions specified on the one page Agreement of 1- 22-96, revised (see exhibit) which would be accomplished by the court holding the two necessary hearings.

1). "Exception" Hearing - Exception to the Support Master Frederick Cohen's support determination of 1/31/96. The court needs to raise her ridiculous over-deducted $44,000 net closer to her $300,000 gross (earning capacity).

2). "Retroactive " Hearing - To correct support retroactive to September 23, 1991 which is the separation date and the disability date that I first received $5,000/month disability from Monarch Insurance Company.

For 2¼ years the Montgomery County Court built a false arrearages based on their erroneous calculation of my support/APL being $1,065/week which is over $4,500/month while I only receive$5,000/month disability during that time period of 2¼ years. It is criminal for the court to know this and delay correcting it while keeping me in jail.

Each year Sarita receives $54,000 of my disability money and I only receive $6,000 annually. When you add $54,000 to Sarita's gross earned income of $311,000 (1992), she totally received *$364,000/year* as opposed to my *$6,000/year* disability that I received. Briefly, another example of inequity is that while Sarita earns approximately $300,000 a year gross, and the court uses her false over-deducted $44,000 net to calculate support, she has continued her manipulative pattern and declared Chapter 13 Bankruptcy. There is now over a 4.5 million dollar disparity between Sarita and me since our separation date of September 23, 1991. I have spent my time, money, and energy while not working trying to correct the injustice to no avail.

The court needs to correct the first 2¼ years (September 23, 1991 to January 4, 1994) that the court erroneously based its support calculations on $14,500/month instead of $5,000/month disability, eliminate her ridiculous $350/week ($75,000) Alimony Pendente Lite and remove the judgment especially because the arrearages are less than ½ the judgment and after the above is corrected I will have several years of over-payment of support. According to Judge Marjorie C. Lawrence at the October 3, 1995 conference, Sarita owes me post-divorce alimony. The hearings for the correction of the support has been delayed over a dozen and one-half times since July of 1992 and now delayed again on April 10, 1996 and again on April 17, 1996, to July 1996 and to sometime in August, 1996.

The problem that occurred is that the court did not know that

I was disabled when it gave Sarita APL and when it calculated support. Now that the court knows that I was disabled since September 23, 1991, there is a huge correction due. The court at the time it calculated support in July of 1992 did not know about my disability and should have at least used my separation year 1991 ($22,000 net/$180,000 gross) instead of using the year before my separation 1990 ($345,000 gross/$180,000 net) to calculate support. I have not worked from 1992 through 1996 trying to correct all the errors of the court.

The court needs to correct the above, let me sign the insurance forms, then get evaluated if necessary, let me be with my children to directly support them, and let me get back to my professional work, Podiatry).

5. I will not go for evaluation while the court continues its threats against me:

a). Take away my talking privileges with my two daughters, while the court does not put Sarita in contempt for over 4½ years for her past violations of all my visitation orders/agreements to talk to/see my daughters.

b). Incorrect judgment ($147,000).

c). False arrearages ($70,000).

d). Confiscation of my property (house, escrow monies,

and furniture) based on false arrearages, politics, and other illegal maneuvers.

e). Ridiculous Alimony Pendente Lite ($75,000)

f). Bail and Bail Revoking ($75,000).

g). Attachment of my disability monies ($95,000 now unclaimed for past 19 months).

h). Threat of having been put out of my estate by my wife's lies and the court prevents me from defending against this by disallowing my witnesses, burying the evidence, and not enforcing our subpoenas.

i). Threat of my children being taken out of the State of Pennsylvania.

j). No correction of past incorrect support calculations.

k). The court continuously denying and ignoring all my requests and petitions.

l). Threat of future contempts and punishments as the court continues to delay the hearing for the correction of their past mathematical errors (approximately 18 delays since July, 1992) while building up false arrearages.

m). The fact that I can't go to work with all these continued

threats.

If the court would just show some good faith corrections of their above threats, reduce their threats, I would consider going immediately to one of the below known court evaluators for Montgomery County Court.

Dr. Ken Lewis, PhD in Child Custody, PhD in Education Foundation
2258 Menlo Avenue, Glenside, PA 19038 (215) 576-0177

Dr. Richard Gardner, Psychiatrist
155 County Road, Cresskill, NJ 07626 (201) 567-8989

Dr. Gary R. Glass, PhD
700 South Henderson Road, Ste. 302B, King of Prussia, PA (610) 265-6464

Judge Kent H. Albright, the current presiding judge in Montgomery County Court, shows bias and prejudice as he tries to influence my child, Jillian Schapiro when he states in the transcript of the January 17, 1996 in-chambers testimony of my children that "Your mother, fortunately has been better able to handle the situation emotionally and psychologically...and he (Dr. Paul Schapiro is not able to deal with it"). I am the one who has to petition the court to stop the starvation and deprivation of my children, not Sarita! Try putting all the threats on Sarita as you have on me, deprive her of all contact with her 2 daughters for 4¾ years, deprive her of her due process rights by delaying the hearings for 4½ years, that would correct this matter, deprive

her of her monies, property, freedom, parenting, and all her rights and you will find that I would be by far the better adjusted parent. The court has granted Sarita every request and has given her almost everything while she continues working and I have spent almost everything (time, money, and energy) trying to correct the situtation to no avail while not working because of all the court's threats, slaughter of my life, delays, their ignoring/denying every word written in my case, besides the May 10, 1994 car accident injuries.

6. Before Judge Kent H. Albright writes orders stating what Dr. Schapiro must do, Judge Albright must now take action against Sarita's contempt for her having torturously and continuously having interfered with all the court's orders and agreements we had for my minimal visitation. She has violated every order and agreement made concerning my visitations with my two daughters for the past four and one-half years:

   a). The agreed visitation order of November 1991 with Logan Bullitt, IV. Esq.

   b). Judge Joseph A. Smyth's September 20, 1993 order allowing me talking privileges with my two daughters fifteen minutes Friday and Sunday (57 documented violations by Sarita).

   c). The agreement made by the lawyers a few hours prior to the Judge Suber's July 25, 1994 hearing that I would see my children monitored each week by my brother.

Judge Kent H. Albright has failed to enforce the court's past orders for my minimal visitation/talking privileges. Instead, Judge Kent H. Albright has successfully destroyed this case further by his March 29, 1996 order which suspended my visitation rights and has taken away my previous right to talk to my children and recently, on May 17, 1996, has denied my attorney, Jay D. Barsky's Emergency Petition For Special Relief Allowing Father To Have 15 Minute Telephone Calls Per Week To Each Of His Two Daughters Jillian And Lauren Schapiro As Per Court Order of September 20, 1993, filed on May 16, 1996 and on May 17, 1996, Judge Kent H. Albright has also denied my attorney, Jay D. Barsky the EMERGENCY PETITION FOR SPECIAL RELIEF TO ENJOIN MOTHER FROM MOVING CHILDREN JILLIAN AND LAUREN SCHAPIRO OUT OF THE STATE OF PENNSYLVANIA TO THE STATE OF FLORIDA OR ANY OTHER STATE UNTIL ALL ISSUES OF CUSTODY HAVE BEEN DECIDED BY THIS COURT filed on May 16, 1996. There are no rules that state that I, Paul J. Schapiro, the natural father of Jillian and Lauren Schapiro, having been a good and loving father to my daughters and a successful podiatric surgeon, successfully treated many thousands of patients, can be deprived the companionship of my children for almost 5 years. Both Jillian and Lauren paint an extremely positive picture of their father, a nurturing, caring, fun to be with Daddy. Both of my daughters love me and want to be with me.

The best interest and permanent welfare of the children will be served by allowing me, Dr. Paul J. Schapiro to have an active

role in their lives because I have been a good parent in the past and the children need a relationship with their father and they have requested to be with their father. There are fathers who share custody or have equal custody/equal support without having had an evaluation. Sarita has not been evaluated! In 1991 both Sarita and her sister obtained "Temporary Custody" of each of their two daughters, respectively, illegally with lies and through politics. Even thought Sarita's sister makes it very difficult for Danny Newman, my ex-brother-in-law to see a psychiatrist/court evaluator. This court needs to stop catering to every whim of Sarita and her lawyer, Gutin, and start making the case fair by correcting their past errors.

7. I entered into Montgomery County Court an Emergency Motion for Emergency Custody Hearing on December 5, 1995 prior to the plaintiff's petition to modify order of custody. Yet, Judge Kent H. Albright ignored my motion and only entertained plaintiff's petition.

   At the January 17, 1996 hearing, Judge Kent H. Albright tried to hush Sarita's testimony up when she started bringing up past events. The Montgomery County Court thinks that just because time goes by it is justified for them not to deal with correcting past errors and now these errors of the court are 6 months (jail) more behind us. These errors must be corrected.

8. It is illegal and not relevant to law for Judge Kent H. Albright to not allow an almost final order of custody or a final order of custody to be appealed into a higher court such as the Superior Court. This is just as illegal as Judge Subers being a judge of his own recusal (dismissing his own recusal hearing) when he has an interest in the outcome.

I filed on May 31, 1996 a Notice of Appeal of Judge Kent H. Albright's May 22, 1996 order which was ordered in conjunction with another order (March 29, 1996) that is currently under appeal in a Superior Court in Pennsylvania. A Notice of Appeal was filed on April 25, 1996 which appealed Judge Kent H. Albright's order of March 29, 1996 including all of his eight amendments of his order, and another Notice of Appeal that I filed on May 13, 1996 which appealed Judge Kent H. Albright's April 15, 1996 order, which he ordered in conjunction with another order (March 29, 1996) of his. Judge Kent H. Albright continues to write orders that are subsidiary or in conjunction with his other order of March 29, 1996 which has been and is currently under appeal in the Superior Court of Pennsylvania.

9. Sarita Schapiro and the children supposedly would not be in the State of Pennsylvania within the sixty day evaluation period from the May 22, 1996 order, which has now been given Notice of Appeal to the Superior Court of Pennsylvania.

To prevent irreparable harm, there needs to be an **Immediate Emergency Injunction** to prevent my daughters, Jillian and Lauren Schapiro (16 and 11 years old in Summer of 1996) from leaving the State of Pennsylvania (planned to leave end of June 1996) until the custody issues are heard in the higher courts and final custody is determined.

There needs to be an **Immediate Emergency Injunction** to hold in abeyance any future contempts until the Montgomery County

Court's mathematical errors are corrected by their holding the two necessary hearings - "Exceptions" and "Retroactive" hearings to prevent further harm.

By Judge Albert Subers illegally not dealing with these two issues (custody and modification of support/APL) at the long overdue February 27, 1995 scheduled hearing where he illegally said he had no jurisdiction to deal with any issues has caused continued great prejudice and harm to me and my children in this case.

10. My biggest crime in my life before my separation from my wife was a parking ticket or maybe spoiling my wife, giving her over $100,000 worth of jewelry, taking her on 60 trips, paying ¾ of her $60,000 Keogh, paying over $200,000 in improvements in our 64 window, eight bedroom estate, paying all the mortgage, taxes, utilities, insurance, and most of all, the furniture. Also, buying the children $400 worth of toys at a time and being a good husband, father, and provider. I should not be punished for trying to straighten out my case and to seek justice through the courts.

Now that Sarita thinks she possesses my children and all my possessions, she thinks she is going to hold on to everything she illegally obtained by going bankrupt (filed Chapter 13 Bankruptcy petition). She is a master of manipulation, lying and cheating, extremely similar to her millionaire family. She has a $300,000/year gross earning capacity, shows a $44,000 net and now she says she is bankrupt. This whole case is built on Sarita's lies and this court allowing her to get away with it, and

then rewarding her. This court must start reading all the past petitions and wake up and stop denying my witnesses and ignoring Sarita's lies and cheating ways.

There needs to be an emergency hearing in front of a judge to correct, modify, reduce and eliminate support, alimony pendente lite, judgment, bail, bail revoking and imprisonment for the past 4¾ based on merits of case and for other special relief.

11. There is an outstanding Alimony Pendente Lite Petition filed by George E. Walker, Esquire during Judge Albert R. Subers' term which Judge Subers has not acted on which still needs to be heard by the current presiding judge. See Petition to Vacate Plaintiff's APL Retroactive to September 23, 1991 Located on pages RR 1600-1709 in the 5 volume appendix which has been served to courts, judges, and lawyers including Judge Albert R. Subers, Judge Marjorie C. Lawrence, Jay Barsky, Esquire, George E. Walker, Esquire, and David Gutin, Esquire and all the lawyers for the defendants in the Federal Court. Also, see Emergency Motion to Remove Judgment Against Petitioner RR 1478-RR1487 and Emergency Motion to Set Aside Petitioner's Bail (RR 1465-RR 1477.

12. The County benefits the most from our divorce and has an incentive to not resolve anything, to not care about being fair, to pretend to very slowly correct any past errors aside from the fact that past politics have been involved in this case. The County received $190.00 per day for every day that I was in jail. I was in jail for 183 days. I, the Petitioner, basically stayed away from the Court and remained in jail until the court corrects its past

errors. There is a simple obvious mathematics that should not take 4½ years to correct. There now needs to be an emergency hearing in front of a judge. The court is moving at turtle speed to correct any of the past errors which would partially resolve this situation. The whole 4¾ years of figures used to calculate support and Alimony Pendente Lite are inaccurate. While my wife has approximately a $300,000/year practice (True Earning Potential) and has grossed approximately one million-four-hundred-thousand dollars since our separation, September 23, 1991, the court is allowing and using her very much over-deducted and her atypical lowered earning (1995) year arriving at net ($44,000) to calculate present and past support, while the court used to calculate support my highest gross/net year (1990) $345,000 gross/$180,000 net. This was one year before my separation (1991) $180,000 gross/$22,000 net - which was not used to calculate support (no work 1992 through 1996). Sarita's 1990 and 1995 years were her lowest gross/net years and the Court used the figures from her lowest years to calculate support while her 1991 through 1994 years (true earning potential years) were a gross of $262,400/year to $311,000/year. Sarita stated to Judge Kent H. Albright at the January 17, 1996 hearing that her income will go up (back to her true earning potential).

13. My wife's little weasel lawyer, David Gutin, has been using legal tricks, technicalities, lies, fabrications, fraud, perjury, and politics to get their way with the court all throughout the case.

    During the Summer of 1993, Gutin, Esquire, knew that I had been of disability (on disability receiving $5,000/month since September 23, 1991) but purposely said nothing to the Court and

he did not have my disability attached until December 1993 at which time my disability was attached through Judge Subers. This attachment date (Dec. 1993) was after Judge Salus' August 2, 1993 order allowing my Estate to be sold, was after my Estate was sold (October 1993) and was after the Exceptions to Master Santangelo's order (July 1992 hearing and order) was denied (Sept. 20, 1993.)[2] Therefore, the Court did not know at the time of the hearing that denied the Exceptions, (denied based on lack of prosecution and not on the merits) that I was on disability and had been on disability receiving $5,000 per month since September 23, 1991 which could have made the court at that time look at the merits.

During the Summer of 1993, Gutin, Esq. knew that I had been on disability because there was a letter from psychologist

[2]The court criminally put off/continued the hearing for the "Exceptions" for well over 1 year (denied me due process) until after my house was illegally allowed to be sold by Judge Salus. My lawyer took exceptions to the Support Master Santangelo's Order in July 1992 but the court kept continuing (Dec. 1992) and continuing (March 1993) and continuing (June 1993) the hearing for the Exceptions until, finally over 1 year later there was a hearing that denied the Exceptions due to lack of prosecution because I was not coming into the court. The Exceptions to Master Santangelo's Order were never heard on their merit. My lawyers did not file the needed appeal to the denied Exception into the Superior Court and I was busy getting ready my lawsuit which was filed on 11-22-93 into the Federal Court. I was not coming into the court until the court corrected its errors and the court was not correcting anything until I

came into the court (catch 22 situation). Now, I am available to the hearings and the court still has not corrected the 4¾ years of mathematical errors.

Dr. Jack Lit, and made part of a transcript as an exhibit during Summer of 1993. The letter mentioned my disability insurance carrier (Monarch Insurance) and policy number etc..Gutin Esq. purposely did not bring this to the attention of the court, did not attach my disability when he knew about the Monarch Insurance during the Summer of 1993, and therefore he allowed me to receive four or five extra disability payments before he had the disability attached in December 1993, because he wanted to get my house sold (October 1993) and the Exceptions to Master Santangelo's order denied (September 20, 1993) before the Court would realize I was under disability and therefore no corrections and reductions to the support would occur and therefore no reduction of arrearages which would have prevented my house being sold.

The Court used to calculate support from September 23, 1991 to January 4, 1994, incorrect figures of $14,500/month instead of disability of $5,000/month, building up false and incorrect arrearages ($147,000), a portion of which included a ridiculous $350.00 a week Alimony Pendente Lite ($75,000).

To Repeat Summary of Events:

1. **Gutin Esq. knew I was on disability during Summer of 1993.**
2. **House listed - August 2, 1993.**

3. **House Sold - October 1993.**
4. **Delayed Hearing[2] on Exceptions took place over one year later - September 29, 1993.**
5. **Then Court attached disability - December 1993.**

If (3), (4), and (5) would have occurred in reverse order, I should have been easily allowed and able to buy my home. Because the Court criminally allowed the delay of (4) to occur, ignoring all petitions, it caused (2) and (3) to occur. Because Gutin, Esq. knew (1) and delayed it to (5), it caused (2) and (3) to occur and helped (4) to be denied.

14. Gutin Esq. had Judge Subers attach my disability in December 1993. Yet, the modification of support petition was filed in January 5, 1994. How can the Court only modify my support to January 1994, when the Court attached my disability in December 1993 prior to the modification petition: file date of January 1994? In fact, Sarita was paid a total of $28,666 from my disability payments from December 1993 to November 1994 (almost one half of my disability). Therefore, the Court recognized that I had a disability prior to the filing of the January 5, 1994 Modification of Support Petition and the court must consider my past disability and readjust. Also, Dr. Cava's March 15, 1993 letter supporting my disability prior to the filing of the January 5, 1994 Modification Petition.

15. Other Petitions concerning Modification and correcting money errors of the Court were filed in 1993 such as Neil H. Stein, Esquire's Petition For Alimony Pendente Lite, Counsel Fees and Costs and For Other Special Relief (pages RR

1155 - RR 1165) - Neil Stein's Petition which is attached as exhibit to Petition recently filed November 30, 1995 by George E. Walker Esq. titled Defendant/Petitioner's Statement in Accounting and Motion for an Equitable Determination of His Interests by Way of a Modification of Support in the Matters Herein.

16. The Court needs to Correct, Modify and Reduce my support for the first 2 ¼ years (from Sept. 23, 1991 through Jan, 4, 1994) where on Sept. 23, 1991 I first began receiving disability income at $5,000 per month which was the date of our separation and the date (Sept. 23, 1991) I was put out of my home wrongly. See Petition For Modification and Reduction of Spousal and Child Support (pages RR 498 - RR 528) Volume 1 of the 5 Volume Appendices.

My change in circumstances did not occur when the Modification of Support Petition was filed on 1-5-94. My change of circumstances began on my date of separation, Sept. 23, 1991 when I first began receiving my $5,000/month disability payment from Monarch Insurance Company based on psychologist Dr. Jack Lit's medical diagnosis of "Adjustment Reaction with Mixed Emotional Features." My first visit with Dr. Lit was on June 24, 1991.

After Sept. 23, 1991, I was very distraught when my world was turned upside down being away from everyone and everything I loved - my two daughters, my wife, my home, my possessions, my furniture, directly providing for my family, my work (Podiatry Practice), other family members and friends. Instead I

was, and still am dealing with everyone and everything I dislike such as lawyers, etc., etc. Also, I was very preoccupied trying to get justice in the Court. As Psychiatrist Dr. Edmund Cava later stated "I was preoccupied in my preoccupation..." Since September 23, 1991, Sarita was making it almost impossible for me to see and talk with my children and still is. I was unable to help patients when no one was able to help my situation. Sarita had the podiatry office moved out of my home. I stopped my Podiatry practice.

Both my brother-in-law, Danny Newman (about 11 years married and myself (about 20 years married) were put out of our homes wrongly in 1991 by lies and acting and by being set up by my wife's sister and my wife, respectively at about the same time period as Sarita's father - Psychiatrist died of prostate cancer. We were torturously prevented from talking and seeing our children. We both have two daughters. We both were prevented from returning to our homes illegally through politics of my mother-in-law's girlfriend, Sandra Newman. We both had our houses taken away from us and all the furniture and all the escrow money. Two weeks prior to the November 7, 1991 hearing of me trying to get back into my house, I was talking to my mother-in-law on the phone and she stated she "was just at Sandra Newman's house yesterday." She stated emphatically, "you know she is a divorce lawyer - you're not getting back into your house!"

I was swimming upstream against a Court that wanted nothing for me ignoring and denying every petition. You can say I have paid approximately $400,000 in legal related fees and could not

even get my Winter coat that Sarita would not give to me. Sarita now is just trying to hang on to everything she illegally thinks she has gotten away with and I have been trying desperately to explain through petitions, lawsuits, etc., etc. and using all my time, energy, and money to get some fairness and get half back. Either the Court lets me have a relationship with my daughters and tries to make the situation fair or the Court is going to waste - destroy my life (energy, time, money, jail).

17. Either I directly spend my time and my disability money and any other monies due me including Post Divorce Alimony directly on my daughters (custody) and slowly try to get back to work or I am changing the benefits from $5,000/month to $5.00/month and spend my time suing this Court for all the criminal errors and acts that took place in my case. It was illegal for the Court to hold me in jail when there is an obvious disparity - $4.4 million disparity between where my wife is and where I am since our separation date of September 23, 1991 (beginning date of my disability payments). I should not have been in jail while the Court corrected all its errors because the order placing me in jail was based on duress and not based on any true figures of calculations. There were a few petitions filed in Montgomery County Court and an injunction as part of a lawsuit - Civil Rights 42 USC Section 1983 complaint filed in Federal Court during the latter part of 1994 and early 1995 to hold in abeyance the contempt until after the Modification of Support took place. See the Appendix pages RR 1788 - RR 1820 / RR 1821 - RR 1881 / RR 1348 - RR 1411. I attended a hearing in the Federal Court on December 2, 1994 on one of my injunctions. Judge Albert Subers just denied every petition and he had

illegally denied a good many of them without his having any jurisdiction because of his being recused at Superior Court and Pennsylvania Supreme Court.

18. There can not be any money dealings between my wife and me! Sarita finds so many sneaky multiple ways to over-deduct and I will not spend my life trying to figure out her cheating ways. Sarita has grossed $1.4 million since 1991 as opposed to my disability income. She will continue seeing a patient at her Delaware practice and Florida practice and deduct 100% for trips and entertainment back and forth, deduct furniture as equipment at her present house location in Rydal, Pennsylvania and because she may see a patient at her house she will deduct a good portion of the house. She takes out loans, keeps cash and deducts interest. She gives money to her mother, calls her an employee, and uses this as a deduction. She added depreciations to her deductions that needs to be deleted from the figures from which support is calculated. Entertainment is over-deducted. In 1991 Sarita received a $5,000 check for "over-head protection" and she deceitfully did not report it to the Montgomery County Domestic Relations Office or on her 1991 taxes.
Ann Marie Bradford, our disability agent, can be subpoenaed with this information and any other overhead protection check Sarita had received.

19. Sarita is planning to live and practice in Florida part-time and return to Pennsylvania several months a year and practice in her Delaware office (deducting 100% for the trips) while keeping baby-sitters watching my children. I learned the above plan from Jillian during the Summer of 1995. Sarita works until 10:30

P.M. (business tycoon) and comes home even later while a baby-sitter is usually with my daughters while she wards me off with her family politics through the Courts. The children are in the house at times by themselves.

20. Sarita and the Court owes me several hundred thousand dollars after the Court modifies the support retroactive to September 23, 1991 and eliminates the approx., $75,000 Alimony Pendente Lite and corrects her over-deductions. Sarita and the Court owe me for Post-Divorce Alimony, ½ my furniture, grandparent's antiques and furnitures, etc. I should have been the one receiving Alimony Pendente Lite, not Sarita. I should be paid back for all the money I spent (several hundreds of thousands) for me to defend against the criminal activities the Court performed and Sarita's bad faith litigation. There are five criminal activities of the Court listed below that have cost me well over $50,000 to defend against and others very costly.

Briefly, the Court has:

1. **Delayed hearings until after the damage has already been done (sold my estate without correcting alleged support arrearages).**

2. **Burying evidence and depriving my witnesses from testifying (ex. Psychologist, voice expert, my children).**

3. **Ignoring and suppressing my claims of Sarita's fraud and perjury.**

4. **Ignoring petitions filed and automatic denial; ignoring and no Court enforcement of subpoenas and no Court enforcement for Sarita to answer her 1991 - 1992 interrogatories.**

5. **Eleven judges in Montgomery County Court involved in some aspect of my case and most say "they did not do it" and no judge reading all material of the case.**

6. **Court not enforcing its own orders of visitation and talking privileges (No right to be a parent).**

7. **Selective Jurisdiction - Judge Subers' February 27, 1995 and March 24, 1995 hearings.**

8. **Deleting critical information out of transcript - specifically February 15, 1995 hearing in front of Judge Salus - Judge Samuel W. Salus II admitted that he was good friends with Sandra Newman. This was all deleted out of transcript. The Philadelphia Inquirer was witness to this.**

9. **Denial of Due Process Rights, Procedural Irregularities.**

10. **Judicial abuse in illegally selling my estate, and illegally dissipating all the escrow money $143,000, both through politics, explained below!**

On August 2, 1993, Judge Samuel W. Salus II gave away my estate through politics, through Sandra Newman, without a hearing, without a proposal for me to buy my own home, through judge shopping and exparte. Judge Salus was a temporary judge with no knowledge of my case. Yet he overruled Judge Paul W. Tressler who revoked the same two page order two days prior. But Judge Salus signed this two page order and allowed my house to be sold. It sold for about ½ price and Sarita took all the money. I put almost $250,000 in improvements into the house and Sarita sold it for only $290,000 and took all the escrow money ($143,000). See Pages RR 2819 - RR 3073 which include the above orders in Jillian's King's Bench which was entered in Pennsylvania Supreme Court. I went to the United States Supreme Court twice to try to stop the sale of my home and try to correct this situation.

> The Fourth Amendment states the right of the people to be secure on their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated; no warrants shall issue upon probable cause supported by oath or affirmation and partially describing the place to be searched and the person or things to be seized.
>
> Referring to the Fourteenth Amendment of the Constitution of the United States Section I: All persons born or naturalized in the United States and subject to the jurisdiction thereof and citizen of the United States

wherein they reside NO STATE shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any state deprive any person of life, liberty, or property without due process of Law nor deny to any person within its jurisdiction the equal protection of the Laws.

Robert G. Katz Esq., who was Judge William T. Nicholas' Law Clerk from 1990 - 1992, left that position and worked for Astor, Weiss, and (Sandra) Newman, Sarita's legal representation and Robert G. Katz Esq. wrote the petitions to take away the full $143,000 from the illegal sale of the home. Katz submitted these petitions to judges he had worked for previously which was a conflict of these petitions to judges he had worked for previously which was a conflict of interest. Robert G. Katz Esq. is now working as a law clerk in the Commonwealth for Judge Sandra Schultz Newman (now judge in the Pennsylvania Supreme Court). I went several times to the Federal Court with law suits and injucntions, etc. to try to stop the dissipation of the escrow monies from the illegal sale of my house, to have the monies returned to the escrow account so I could buy my home.

CORRUPTION - Sarita and her family

1. Sarita's father, Dr. David Rubinstein, cheated the government out of $500,000 of federal income taxes in 1980 and spent $500,000 on lawyers. Sarita also over-deducts on her taxes.

2. Sarita's father and brother started a medical business

together. Their business failed and they cheated my brother out of approximately $14,000 of furniture that they purchased from him. My brother tried to get his furniture back and they did not want to give it back.

3. The Rubinstein family left Cuba illegally, pretending to be on vacation.

4. Sarita's mother, Faiga Rubinstein, laughs when her cousin gave a wedding for $100,000 on bankruptcy money. Her cousin borrowed the money and gave a wedding after going bankrupt.

5. Within a few days after Sarita's grandmother died, Sarita's mother got away with taking all $15,000 out of her mother's account.

6. Sarita had (paid) a retired Philadelphia Police officer (possible patient of hers) to stab seven tires on two of my cars in February 1992. Gutin, Esq. called Robert Katzenstein, Esq. and told him that two of my cars' tires were slashed.

7. Sarita has (paid) Linda Smith to lie and then Linda Smith made a tape and notarized letter recanting what she testified to and then Sarita had (paid) Linda to come back before and tell Roger Boe Reynolds, Jr., Esq. that it was not her voice. It was proven by a voice expert analysis (two reports) that it was Linda Smith's voice on the tape. The analysis was ordered by Reynolds and then Reynolds, Jr. said that voice

analysis is not acceptable in Pennsylvania court after he had requested (ordered) one to be performed and I paid several thousands of dollars. Reynolds, one year later, in his report buried this information which would have helped to prove perjury and fraud in the court.

8. Just prior to the separation (September 23, 1991), Sarita forged my name twice on two Nationwide Insurance checks (for repair estimates) - one check for over $3,000 and one check for over $1,000, and she cashed both checks herself at Atlantic Financial Bank and she took the money. I have proof and written complaint was filed with the District Attorney's office.

9. With all the money we both made, Sarita would knowingly walk out of a store (health store) without paying for an assortment of nuts and Soya beans she carefully prepared for herself so she could lose weight.

10. With all the expensive clothes she had, (in fact she converted one of our seven bathrooms into a storage for her expensive clothes and had it wired to police station), her hobby on the weekends would be to return items she purchased the past one to three weeks prior.

11. Sarita and her family use politics (Sandra Newman) to get their way with the Pennsylvania courts. Then the judges have to protect themselves from the criminal conspiracy that they have performed in my case by using their "policy" that they have been getting away with for years through their

established trillion dollar racket to deprive me of my children, my right to be a parent, my work, my due process rights, my monies, my property, my rights, now my freedom and the possibility of my returning to work and then the court would like to use psychology or psychiatry as a weapon to protect themselves against the several criminal activities that the court has done in my case. The Montgomery County Court had declared Dick Bosa mentally deficient and meanwhile he is currently mayor of Berlin, New Hampshire. See petition filed with the Montgomery County Court: Petition to Request The Court to Cease Using Psychiatric Confinement of the Petitioner as a Condition for Equitable Consideration Pages RR 1093 - RR 1099.

12. Sarita's millionaire father died July 23, 1991, two months prior to our separation and there should be an inheritance factored into the equitable distribution equation except for the fact that the will was written in double-talk and Sarita will just receive the inheritance underhandedly through her millionaire mother with whom she has a close relationship. Sarita's mother received $700,000 from the life insurance from the death of her husband, then she sold her eleven bathroom house, which surrounds a swimming pool in Penn Valley for $1.5 million, sold her furniture for an additional $300,000 and sold her husband's psychiatry practice for an additional $25,000 and rents out her custom designed "sample" condominium at the Crystal House.

22. There will be no more extortion of money, etc. (up front money), and then the court would someday or some year in the future deal

with correcting the support and giving me back any refund due to me, as Judge Albert Subers stated in his opinion to Superior Court and Judge Marjorie Lawrence mentioned in the October 3, 1995 conference (a Montgomery County Court policy that needs to be changed).

A few examples:

1. July 25, 1994 hearing (Judge Subers) - given $67,666.
2. December 5, 1994 hearing (Judge Hodgson) - given $6,000.
3. Selling my house - escrow monies - given $143,000.
4. Bail - $75,000.
5. November 7, 1996 hearing (Judge Subers) - $32,000.
6. January 31, 1996 hearing (Master of Support, Frederick Cohen) - $25,000.

The Montgomery County Court must completely and correctly modify support and correct the errors that it has made in the past 4¾ years in this case by previous judges.

23. The court deals with threatening and coercion. I can play the same game (legal) too.

    1. If the Montgomery County Court decides to try to pressure me into signing my disability claim form prior to their resolving the "Agreement of 1/22/96" in its entirety, I will authorize Monarch Insurance to change and reduce my monthly disability payment from $5,000/month to $5.00/month retroactive to 12/94 to present time and continue payment at $5.00/month (still

maintaining my disability status) until Montgomery County Court modifies support retroactive to September 23, 1991, deals with custody and eliminated Alimony Pendente Lite, judgment, bail, bail revoking, and therefore removes its attachment against my monthly disability payment. After the court modifies and corrects their above past errors (see Agreement 1/22/96), I will reinstate my full $5,000 payment. The disability money is trivial to this case compared to the 4.4 million dollar disparity between my wife and me. Even Judge Marjorie Lawrence said at the October 3, 1995 conference that my wife should be paying me post divorce alimony and a huge chunk of money should be credited to me and a possible scenario that in this case no one should pay the other anything.

2. An 88 million dollar law suit naming 67 defendants can be entered into Federal Court. Key pages have already been signed by me prior to my entering the Medical College of Pennsylvania Hospital on October 23, 1995 for chest pain.

3. Continuing the recusal of Judge Albert R. Subers.
   Continuing the disbarment of David Gutin, Esq.
   Continuing the malicious prosecution for perjury and fraud against Sarita Schapiro with the District Attorney, etc.
   Continuing class action Federal Court law suit.
   Continuing the impeachment of Judge Samuel W. Salus II.
   Continuing the hearings in Federal Court and eventual

subpoena of certain judges.

Continuing appeals, exceptions, allocators, King's Benches, Writ of Certioraries.

Continuing actions with Supreme Court Disciplinary and Judicial Conduct Board.

Continuing two internets (New Jersey and Maryland) - received worldwide.

Continuing news releases, newspaper articles, radio, book - The Divorce Mafia, eventual television.

4. Assuming Jillian (16 years old on August 5, 1996) lives with me at my three bedroom apartment in Jenkintown, PA (custody); if my wife takes Lauren (11 years old on September 16, 1996) out of the state of Pennsylvania, then (2) above will take place with even more Federal Court jurisdiction no matter what money agreement occurs and whether Jillian is living with me at my apartment in Jenkintown, PA...I WILL NOT BE ABLE TO GET BACK TO WORK WHILE I CAN NOT BE WITH MY DAUGHTERS!

5. Either I can live and practice podiatry in Florida near where Sarita is moving and have equal custody and equal support or Jillian will live me at my apartment at the Benson Manor Apts. in Jenkintown, Pennsylvania so she can continue going to the same Abington High School where she is doing well which is located in the same Abington district as my three bedroom apartment and Lauren will live with me or in the Pennsylvania vicinity with enforced visitation. It is Jillian's wish to live with

her father! Jillian stated that she wants to live with her father to Judge Paul W. Tressler at July 6, 1995 hearing, and in many notarized letter of hers, many of which are included as exhibits in her Federal Court law suit filed 3/95. At the February 18, 1996 forty-five minute visitation at the jail in front of my brother and his wife, Jillian told me twice she wants to live with me. I NEED TO BE A FATHER TO MY CHILDREN! I need to be with my daughters to take care of them and see them grow up. The court and Sarita are completely evil for preventing me from being with children.

As psychiatrist Dr. Edmond Cava stated in his letter of 3/15/93, that "In spite of all the above, I do not feel that he is incapacitated as far as being in contact with, making arrangements for and taking care of his children. This, in fact, would have a stabilizing and beneficial effect on him." Dr. Cava's letter is included in the Accounting Petition filed November 30, 1995 by George E. Walker, Esq...(Exhibit 8)

24. The only values that my wife can teach my children are:

a) How to cheat on your husband.

b) How to lie and put your husband out of his house in three easy steps.

c) How to use police, hospitals, psychiatrist, therapists, politics, a dishonest lawyer, disciplinary school and

juvenile court falsely to get what you want.

d) How to redirect mail away from the children, unlist the phone, alert everyone with old past orders from judges who never met me in order to keep their father away.

e) How to be money-hungry, materialistic, very plastic, manipulative, calculating, controlling, domineering, possessive, independent, schemer, stubborn as a bull (Taurus), liar, spiteful, heart of ice, an actress with her memorized lying lines (you need to give her an applause), dictator and as my daughter, Jillian states, "Everything is for her, her, her." Jillian stated that I would make the better parent.

f) How to threaten your children to try to get them to do what you want like not seeing and talking to their father and to not know how to manage your children.

Jillian has been threatened by her mother with:

1. Psychiatrist and psychiatric hospital.

2. Wilderness Outpost Program in Oregon.
   I have tapes of Jillian crying to me of her mother threatening her to send her to this program in Oregon and she wants to live with me.

3. Disciplinary school in Maine (Hyde School)
   Another of Sarita's failures to manage her daughter.

Jillian was punished and lost three months of school in Maine.
Jillian was not allowed to attend classes, talk with anyone, and she had to pick up branches all day.

4. Confined to house for two months by her mother when Jillian returned to Pennsylvania from Maine.
Jillian lost two more months of school and was not allowed to see her friends.
Jillian lost a total of 5 months of her ninth grade year.

5. Used juvenile court to try to make Jillian a juvenile dependent (in front of Judge Paul W. Tressler).

6. Bribe my children with her's and her family's wealth and possessions.

Lauren: I have many tapes of Lauren crying on the answering machine to be with me, crying "Daddy, Daddy, Daddy."

Jillian's psychiatrist, Dr. Harvey A. Horowitz (1) and Malcolm Gauld, headmaster of Hyde School (3), have both been sued in Federal Court in 1995.

g. How to prevent the entire Schapiro family from talking and seeing my daughters for 4¾ years and the court does nothing to change this despite all petitions. eg. Sarita prevented my mother from seeing and talking to my children (except for

three occasions) for 4¾ years.

h. How to raise your children with baby-sitters.
At present I am on disability and would have more time to directly care for my children.

i. How to almost never cook for your husband.

j. How to not help your children with homework.
Sarita was born in Cuba and speaks Spanish. Jillian stated on February 18, 1996 visitation at the jail that her mother never helps her with her Spanish or her homework. Jillian is taking beginning Spanish again in the tenth grade.
I concentrated in math and science besides taking courses to go into medicine. I have tutored chemistry and trigonometry. I can help Jillian with her homework.

k. How to not offer any stability for your children.
Sarita is moving the children from school to school and must now be prevented from moving them to Florida!
Lauren went for Wyncote School in Jenkintown school to now Rydal/Abington school.
Jillian went from Jenkintown school to Maine - the Hyde School - and is now doing well at Abington School.
The children could live with me and continue going to Abington schools.
When Sarita returns to Pennsylvania, she can be with the children.

25. Besides my love, besides my taking good care of my children and providing well for them, besides taking good care of their health as I am a doctor, besides my feeding my children well , besides helping them with their homework and besides my offering stability for my children,

I offer protection when emergencies happen:

1. On July 6, 1994, I saved Jillian's life by acting very quickly. A parking attendant floored in reverse by mistake the car that Sarita and I had just gotten out of with Jillian about 35 pounds on my right shoulder sleeping. As I was walking behind the car, I reacted very quickly to get Jillian out of harm's way and I ended up as a result with my left foot in another direction which need surgery - two screws in my left ankle for ten weeks. The car ended up over the curb on the grass behind us.

2. There was a major fire in one of the rooms of our house. With a large fire extinguished, I put the fire out just as several fire engines pulled up to the house. It took a month for my lungs to feel normal.

3. We had two smaller incidents where I reacted fast to prevent disaster.
    a). In the children's room the extra plug-in heater caught on fire and I quickly put it out.

    b). In the basement the heater motor caught on fire and I quickly put it out.

4. As a teenager, as I worked as a lifeguard at a swimming pool, I saved a small boy from drowning.

5. My grandmother's pressure cooker blew up in front of her and I got her to the shower and got her help.

6. I worked in between the college year in a physical therapy facility where I quickly reacted and prevented a lady from falling.

26. When Sarita had lied to the court, the court criminally went out of their way to deny my witnesses and not enforce my subpoenas, to bury the evidence which would help prove my wife's perjury and fraud on the court and then I was threatened with jail at the July 25, 1994 hearing in front of Judge Subers if I didn't drop the exceptions to the Divorce Master Reynold Jr's reports which would have uncovered this evidence. How can Sarita get rewarded 2.5 thousand dollars, which was taken out of the escrow monies for the illegal sale of my home, for her to be an expert witness and lie at her own divorce proceedings?

27. Gutin, Esq. many times has just blatantly lied to the court to get their way and I spent my time, energy, and money proving their obvious lies and the court does not care to do anything about it.

Few examples below:

a). There was a conference between David Gutin, Esq. and two of my lawyers, Robert Katzenstein, Esq. and J. Michael Considine, Jr., Esq. for hours just prior to the (few hour) delayed July 25, 1994 hearing in front of Judge Albert Subers where it was agreed between the three lawyers that I would see my children monitored each week by my brother. This agreement was honored only two times, on September 5, 1994 and January 3, 1995. Contempt petitions against Sarita, emergency petitions and law suits (see Civil Rights 42 USC Section 1983 complaint RR 1821 - RR 1892) were filed to get enforcement of this agreement and David Gutin's lying response was that this agreement never occurred. Immediately, Robert Katzenstein, Esq. and J. Michael Considine, Jr. Esq. each wrote letters (RR 1821 - RR 1892) that there had been this agreement. Also, my brother wrote a letter (notarized) that he was the agreed monitor and the meetings with children took place only two time after great difficulty dealing with Sarita's excuses each week. Judge Albert R. Subers would not enforce this

visitation agreement because it was not verbalized/written into the actual hearing/transcript of July 25, 1994.

From September 20, 1993 to Judge Kent H. Albright's March 29, 1996 order, there was and still is an order allowing 15 minutes talking privileges twice a week with my daughters that my wife violated, documented 57 times during the period of time from Judge Joseph A. Smyth's September 20, 1993 (reign in my case July 1994 to July 1995) nor Judge Marjorie C. Lawrence (reign in my case July 1995 to December 1995) would enforce even for one time for Sarita to comply with this minimal visitation right no matter how many contempt petitions were filed and how many times their offices were contacted.

See petitions that Judge Subers ignored, refused, mooted, and/or denied for contempt against Sarita Schapiro:

Petition for Contempt Against Sarita Schapiro and to Enforce Custody Portion of September 20, 1993 Order, Allowing for Phone Contact Between Petitioner/Father and Partie's Minor Children, and to Allow Petitioner to Have Sole Custody of Jillian as an Alternative to Her Mother Sending Her Away to School in Another State, and Shared Custody of Lauren.

RR 1113 - RR 1119

Documentation of Sarita Schapiro's Violations of the September 20, 1993 Order

RR 1120

Petition for Contempt (Against Sarita Schapiro's Violations of Partial Custody Order

RR 1329 - RR 1347

Emergency Petition for Defendant's Sole or Equal Shared Custody of Parties' Minor Children and Request for Counsel

Fees.

RR 1505 - RR 1559

Emergency Motion for Enforcement of Court Ordered Telephonic Communications and Request for Counsel Fees.

RR 1560 - RR 1566

Amended Emergency Petition for Defendant's Sole or Equal Shared Custody of Parties' Minor Children so as to Incorporate Jillian Schapiro's Written and Verbal Communications to Father in Regards to Custodial Preference and Related Matters, Request for Emergency Custody Hearing and Request for Counsel fees.

RR 1567 - RR 1586

Also see:

Jillian Schapiro's Federal Civil Rights Complaint.

RR 2721 - RR 2791

Jillian Schapiro's King's Bench in Pennsylvania Supreme Court.

RR 2528 - RR 2797

Sarita has Torturously and Continuously interfered with my minimal visitation rights and this court criminally has not enforced its own orders or taken any action against Sarita's contempt. Sarita even prevents my mother from talking to my children.

b). Gutin, Esq. lied to the court several years ago when he told the court that Jillian's Psychiatrist, Dr. Harvey a. Horowitz, stated that "It is in the best interest of the children to not talk with their father." At that time, Dr. Horowitz had neither met me or spoken to me. Approximately 1½ years later, Spring of 1995, I spoke to Dr. Horowitz several times. Dr. Horowitz said to me that he never made any statement about

what Gutin had said to the court above and he was going to write a letter to this effect, but he took too long to write it and he was sued in Jillian's Federal Court law suit, filed April 24, 1995, and then Dr. Horowitz instead of writing anything hid behind his lawyers. Dr. Horowitz has been subpoenaed several times to hearings and he used his lawyers to dodge all four subpoenas.

28. Previous judges have made promises in several hearings that they do not keep. Three examples listed below:

    a). Judge Joseph A. Smyth promised Jillian at the September 20, 1993 hearing that if she did not see her father for six weeks, he would consider dropping the monitoring in approximately six weeks at the next hearing. Not only was there no hearing, not only did he not drop the monitoring, but Judge Smyth did not even enforce his own September 20, 1993 order allowing for phone privileges twice a week.

    b). Judge Richard Hodgson, at the December 5, 1994 hearing after I signed the Monarch form allowing Sarita to receive $6,000, emphatically promised me and my lawyer, George E. Walker, that the minimal visitation of talking on the phone to my daughters each week would be strictly enforced and the judge even asked Gutin, Esq. for his assurance and Gutin, Esq. agreed. Also, Judge Hogson assured us that the modification of support hearing would take place within 60 days of the December 5, 1994 hearing. NEITHER HAPPENED!

    c). Judge Albert Subers, at the July 25, 1994 hearing, after I signed the Monarch form allowing Sarita to receive $22,666 agreed that there would be a modification of support shortly. DID NOT OCCUR! Sarita also received $45,000 from the escrow monies at this hearing and had just received $55,000 from the escrow monies a few weeks prior to this July 25, 1994 hearing.

29. There has been no justice in my case. Every aspect of my case is in error. One of the court's criminal errors, performed by Judge Subers against me, is explained below in a little more detail. See Jurisdiction Number 20, Sub. 7 of this writing.

Judge Albert R. Subers prevented me from presenting the merits of my filed December 20, 1994 Recusal Motion against him at the January 27, 1995 recusal hearing and he prevented me again at the February 21, 1995 recusal hearing and Judge Subers ignored and refused dealing with any of the emergency custody issues. Judge Subers on both occasions dismissed his own recusal hearings without writing an order to this effect so that I could not appeal to the Superior Court.

Judge Subers dismissed the scheduled custody and modification of support hearing on February 27, 1995, which had been continuously continued for over one year when he said that he had no jurisdiction. In fact, he did have jurisdiction; I only appealed Judge Suber's dismissal of his own recusal hearing to the Montgomery County Court because I was not able to appeal the recusal issue to the Superior Court before the February 27, 1995 hearing because Judge Subers purposely did not give me an order that I could appeal from.

Judge Subers could have heard the merits of his recusal at the February 27, 1995 hearing, denied it like he had denied everything else in this case, and proceeded on this date to deal with the emergency custody issues and modification of support. It is not right or fair that a judge can be the judge of his own recusal when he has an interest in the outcome!

Judge Suber's staff very quickly rushed this recusal appeal petition, that I filed at the Prothonotary Office at the Montgomery County Court one hour before the February 27, 1995 hearing, to Judge Subers' courtroom so that he could and did use it as an excuse and an opportunity to not proceed with the

very needed modification of support, dealing with the emergency custody issues and emergencies with Jillian (children to testify) scheduled for this February 27, 1995 hearing. To the date of Judge Subers' reign in my case, he ignored all emergency petitions (two emergency petitions that George E. Walker, Esq. presented to him on November 29, 1994), injunctions, and even had me escorted out of his courtroom and court building by several guards in January 1995 when I especially came to the court to show him my daughter's emergency letter.

It seemed at the February 27, 1995 hearing that Judge Subers was working with Gutin, Esq. to do whatever Gutin wanted so he would not have to deal with my issues - the way this case has gone from September 23, 1991. At the February 27, 1995 hearing, Judge Subers asked Gutin, Esq. if he had jurisdiction and Gutin, Esq. basically said No! (exact quote from the transcript below) Judge Subers said about ten times at the February 27, 1995 hearing that he did not have jurisdiction to proceed with any of the issues of the case.

Exact quotes from February 27, 1995 transcript:

Page 4:	The Court:	Mr. Gutin, are my hands tied?
	Mr. Gutin:	I think probably until the appeal is either withdrawn, Your Honor, or disposed of by the Appellate Court, I believe that's accurate.
	The Court:	I'm not sure it's an appeal to the Appellate Court yet I don't know what it is.
	Mr. Schapiro:	I'm waiting for your order so I can—
	The Court:	You have an order, It was made here in open court.
	Mr. Schapiro:	Right, but I can't appeal a transcript. You've been giving all transcripts and no orders since July 25.

The Court: They are the orders. I don't have to write an order when it's in the transcript.

Mr. Schapiro: Superior Court doesn't want a transcript. They want an order.

Mr. Gutin: A certified copy of the transcript would be acceptable.

Mr. Schapiro: Not to the Superior Court.

Page 6: The Court: - - , but now I have an appeal which basically removes jurisdiction from me to do anything or from this court.

Page 6: The Court: Well, right now I have no jurisdiction to hear this matter.

Page 8: Mr. Walker: If you said that you have no jurisdiction and I can see that this appeal matter is solved, if in the interim you await the disposition of that matter, will those cases then be put off, the March 3 and the more extended hearing?

The Court: Well, first of all, they're conferences and there's really nothing to conference that I can hear. For example, if these matters will have to be taken up, I can't even order them for a hearing. I have no jurisdiction.

Mr. Schapiro: Well, maybe if you would treat some of the emergencies that are emergencies, we wouldn't be having to put petitions forward.

The Court: I can't. You filed a petition to recuse. We had to take care of that. Now you have appealed that, and there's nothing I

can do.

Page 13: The Court: Right now we have nothing before this court that I can deal with except your petition to - -

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Page 13: The Court: It well might be, Sir. I can't hear it. You have taken away jurisdiction from me.

Page 15-16: Mr. Schapiro: Judge Subers, I have one last thing, one last opportunity, one last thing. Before I - - if I may dismiss that recusal without prejudice.

The Court: No.

Mr. Schapiro: - - I want to, at least, bring this one item to your attention.

The Court: No, there's nothing to bring before my attention. I can't rule on anything, Sir.

Page 17: The Court: I'm sorry, Sir, I have no jurisdiction.

Page 17: The Court: I have no jurisdiction, Sir, right now because of your petition outstanding.

Judge Subers dismissed a scheduled custody/modification of support hearing on February 27, 1995 when he said he had no jurisdiction. Nevertheless, he illegally allowed a March 24, 1995 hearing to take place, illegally making his own jurisdiction to bifurcate the case when now he had no jurisdiction and no jurisdiction to even hold the March 24, 1995 hearing because I had appealed the recusal issue to Superior Court of Pennsylvania

on March 14, 1995 and also appealed in Pennsylvania Supreme Court prior to the March 24, 1995 hearing. Judge Subers bifurcated the case without his having jurisdiction and he went against the Pennsylvania rules of the Appellate Procedure 1701 (c) wherein the taking of an appeal divests the trial court of jurisdiction.

But Judge Subers played illegal "selected jurisdiction" on the court because at the illegal March 24, 1995 hearing after his illegally, conveniently deciding to now have jurisdiction to bifurcate the case (what Sarita and Gutin wanted) and put me on a bench warrant when I was in the Abington Hospital ($2,000 bill), Judge Subers decided again that he still did not have jurisdiction to modify the support or deal with the emergency custody issues or any of my, Dr. Paul Schapiro's, issues which constitute multiple criminal acts by this judge doing whatever he wanted to.

On March 9, 1995, Judge Subers entered an order (which was the only order he entered in the recusal matter) denying my Petition to Appeal Judge Subers' Dismissal of His Own Recusal Hearing (which was not heard and never to be heard on the merits) as if it were a reconsideration. Judge Subers thought he could be sneaky to continue the trend of the court's criminal acts against me by changing or re-labeling my appeal petition a reconsideration and then his putting out an order only to deny the reconsideration petition and then Judge Subers said that I only appealed to Superior Court his order to deny the reconsideration and did not appeal the actual dismissal of his own recusal hearing. The only order I could and did appeal to Superior Court ,which was the only order Judge Subers wrote concerning the recusal matter was the order denying the reconsideration. According to the Superior Court staff, I could not appeal (except for an actual order) to the Superior Court anything else like the transcript as Gutin, Esq. and Judge Subers suggested I should have done (see above quote from transcript page 4). Judge Subers acted as an agent for my wife's law firm and the court is continuing to play their tricks and

criminal acts to oblige Gutin, Esq. and his law firm.

When you appeal an order denying reconsideration of a certain matter (dismissal of recusal hearing) it should also appeal the matter (dismissal of recusal hearing) you are reconsidering. Judge Subers makes this differentiation as if he were a lawyer acting on behalf of Astor, Weiss, Kaplan, and Rosenblum.

To continue his criminal acts against me after the March 24, 1995 hearing, Judge Subers revoked a $75,000 bail. Judge Subers revoked this bail without a hearing but only on the basis of Gutin's motion and he ignored my petition to prevent bail from being revoked.

30. Summary of Events
Hearings Occurring From 7/94 to 3/95
A Few of the Petitions Filed From 11/94 to 9/95

Key:
(J) - Jurisdiction
J. - Judge
C/S - Emergency Custody Hearing/Modification of Support Hearing
(H) - Hearing
* - I was present at the court and at the following Hearing
- - Sarita was present at Hearing
(G.W.) - George Walker, Esq. and J. Michael Considine, Jr., Esq represented me at this Hearing
(K&C) - Robert Katsenstein, Esq. and J. Michael Considine, Jr., Esq. represented me at this Hearing.
^{2} - Was Sued in Federal Court at least 2 times by Me and/or Jillian
^{3} - Had tried to Impeach him with the House of Representatives at least 2 times.
^{0} - Have been reported to the Supreme Court Disciplinary or the Judicial Conduct Board.
@ - Have been written up in a Complaint to the District

Attorney's Office

§ - Have appealed a Recusal Issue of this judge to the Pennsylvania Supreme Court.

As you can see from the hearings below, when I was not on a bench warrant from July 20, 1994, I attended more hearings and I caused more hearings to occur than the Montgomery County Court even cared for in order for me to try to attempt to correct the past court errors, yet now that I was coming to court the judges were not letting me explain much. Prior to July 20, 1994, I had been under a bench warrant from Judge Lowe who had only been involved in my case for approximately a 30 minute (H) on July 27, 1992. Judge Lowe, at the July 27, 1992 (H) did not know anything much about my case and he wanted $5,000 for spousal and child support or for me to be on a bench warrant while the court was basing their support calculations on incorrect figures of my 1990 year (over $300,000 gross) instead of my 1991 separation year ($22,000 net). Sarita was depriving me of all contact with my daughters, living in my house with my $400,000 of furniture, keeping me away with her politics, and I was spending $5,000 and $10,000 at a time on lawyers to try to correct the money matters and lies to her illegally obtaining "temporary custody" of our two daughters.

* July 20, 1994 (H) J. Lowe[2] - I was in a wheelchair just released out of the hospital (car accident) on this date. Judge Lowe did not know how to handle this case so he put me on a $75,000 bail after which I was in jail for 2 days.

* July 25, 1994 (H) (K&C) J. Subers[2]§
I attended hearing, just recently out of the hospital and jail and was medicated. Hearing was

held under duress. I signed $22,666 to Sarita for 9 months of disability payments unclaimed (approximately ½ my disability payments). A few weeks prior to this (H), Sarita had received $55,000 and at this (H) received an additional $45,000 both from the escrow monies for the illegal sale of my house. I was forced to drop the Exceptions to the Divorce Master Reynolds, Jr.'s[20] report which would have helped prove Sarita's fraud and perjury on the court. I was forced to give Sarita my BMW and maintain a $75,000 bail. He failed to enforce the promised C/S.

* December 1, 1994 Contempt (H) (G.W.) J. Hodgson - 1st day

* December 2, 1994 (H) (G.W.) J. James M. Kelly
George Walker, Esq and I attended a hearing in the District Court of the Federal Court on our injunction that we filed.

* December 5, 1994 Contempt (H) (G.W.) J. Hodgson - 2nd day
I signed $6,000 over to Sarita. J. Hodgson failed to keep his emphatic promise to enforce the C/S and my visitation/talking privileges.

On December 20, 1994, I filed a motion to recuse J. Subers. Recusal was due to J. Subers' grossly contemptuous handling (ignoring) two emergency

petitions which (G.W.) personally presented to him on November 29, 1994.

J. Subers ignored and refused to act upon the relief Motions for inequities resulting from "July 25, 1994 agreement" induced under extreme circumstance of duress and Sarita's complete disregard of visitation terms which had been agreed upon was a cause of his being recused.

J. Subers ignored and refused to act on injunctions to put contempt proceedings off until after the correction, reduction, and modification of support took place which had been put off, delayed, and continued approximately over a dozen times in the form of exceptions to Support Master Matthew Santangelo's[2] July 27, 1992 spousal and child support determinations followed up by Federal Court law suit then modification of support petition.

* January 1995 (approx. 2nd week)
  I came especially to J. Subers' courtroom to show him my daughter's emergency letter and he had me escorted out of the courtroom.

* January 27, 1995 Recusal (H) Judge Subers - 1st recusal day
  J. Subers dismissed his own recusal (H).

* February 12, 1995 Domestic Relation[2] (H) (G.W.)
  Sarita[@2] and Gutin, Esq.[20@] did not attend this hearing.

* February 15, 1995 Contempt (H) (G.W.) J. Salus [230]
  I used this hearing to express my

WHEN J. SUBERS DID NOT HAVE (J) HE SAID HE DID AND THEREFORE BIFURCATED THE CASE BUT ILLEGALLY AND ILLOGICALLY STILL DID NOT DEAL WITH C/S.
Sarita has no incentive to resolve the economic issues since the bifurcation/divorce was granted. On March 24, 1994, while I was at a hospital (my hospital stay cost $2,000), J. Subers illegally put me back on a .bench warrant.

On April 24, 1995, Jillian Schapiro's Federal Court lawsuit was filed.

On May 19, 1995, Jillian's amended Federal Court lawsuit was filed.

On June 9, 1995, near the end of J. Subers' reign in my case, he gave his almost last stab of revoking my $75,000 bail after having put me on two bench warrants and later putting me in jail. J. Subers is basically putting me on two bench warrants, revoking bail and putting me in jail for 6 months as a way to make it more difficult for me to freely defend my recusal petitions against him and lawsuits against him in the higher court.

On September 30, 1995 I filed an application for extraordinary relief in the Pennsylvania Supreme Court requesting that all orders of the Montgomery County be vacated in Case #91-18417 on the grounds of extrinsic fraud.

Sarita and Gutin, Esq. have illegally used false accusations of domestic violence to obtain "temporary custody", as a scheme of unjust enrichment through the ruse of "domestic relations" (H), in obtaining $350/week Alimony Pendente

Lite from me to maintain her fraudulent divorce action against me and there has been no need established, especially when she has an approx. $300,000 gross practice. Gutin, Esq. was awarded $10,000 in counsel fees to maintain a fraudulent action when I spent approx. $400,000 in legal related fees to defend a malicious prosecution, fraud upon the court and criminal activities by the court.

Neil Stein, Esq.[20] stated that there was "new matter" in this case where Sarita has withdrawn all her made up and completely exaggerated allegations before the Divorce Master, Roger B. Reynolds, Jr. , had completed his eight hearing "circus" totally charging us $20,022 which he confiscated out of our escrow monies and the illegal sale of my home - charging over $9,000 alone to write one final report which he delayed the completion of his report for almost one year after the eighth (H) thereby delaying evidence of the obvious actual proof of Sarita's perjury and fraud on the court. When Master Reynolds, Jr., Esq. finally wrote his report, it was a period of time that I was in the hospital recovering from a major car accident. Not only did Reynolds, Jr. bury from his report the obvious proof of perjury and fraud in this case, but I was forced to drop the exceptions to the Divorce Master Reynolds, Jr.'s report at the July 25, 1994 (H) in front of J. Subers. The exceptions would have uncovered this evidence. When the fraud and perjury had been discovered during the Reynolds Jr.'s hearings, J. Bernard Moore had written an order that I could take an exception to the Divorce Master's report. The July 25, 1994 hearing "agreement" caused me to drop these exceptions or go to jail. I had just gotten out of the hospital from a major car accident where I almost died (42 days in traction, 22 days in intensive care, and over a $450,000 medical expense). I was also held in Montgomery County Correctional Facility (jail) for two nights just prior to the July 25, 1994 (H). I was under sleeping pills (Restoril) by a doctor and pain medication because I was hurting and in a

wheelchair; I would have agreed to anything, and I did. Agreements induced under duress are void. I practically said nothing at this particular hearing except for a few words at the end of the (H). I had put a complaint to the District Attorney's Office of this criminal activity of Reynolds, Jr., Sarita, and Gutin, Esq. which will eventually be followed up by a malicious prosecution complaint.

Imagine, Judge Horace A. Davenport had put me out of my house for one whole year at the November 7, 1991 (H), based on a smirk, "his opinion" which was a nervous reaction that may have showed a tooth that occurred at a point of the (H) when no accusations were being made, and out of nowhere, Judge Davenport seized on this "smirk" to make his decision. Believe me, there was nothing to smirk about at this hearing.

31. Attempts to negotiate with Sarita before (1) and after (2) my May 10, 1994 car accident

(1) On April 1994, prior to my May 10, 1994 car accident, I wrote and filed with the prothonotary at the Montgomery County Court:
Paul Schapiro's April 1994 Proposal, Without Prejudice, For Equal, Shared Custody/Support of Parties' "Minor Children". RR 1100 - RR 1112
which was my proposal to my wife at her request when we tried to negotiate this case and Sarita's millionaire uncle, Jacob Goldstein, even agreed to negotiate between us and I agreed to this also and even J. Smyth's secretary said that J. Smyth agrees to her uncle as mediator between us. Imagine, Sarita would not agree to her own uncle as mediator and did not agree to anything in my proposal that I filed with the court. For over 4¾ years, I have not been able to negotiate with her because she and Gutin, Esq. have been criminally able to get 100% of any request, order, or petition to go their way through politics

and the courts did not care to enforce any of their orders (minimal visitation, etc.) against her, have performed criminal acts to oblige my wife and her lawyer and have denied me almost every simple request, petition, and order.

Now the only way to correct this is for the court to correct item for item in each area of this case that is in error and for the court to enforce their orders against Sarita and her lawyer, Gutin, Esq. and then this will be the moment in the case from which to negotiate and Sarita and Gutin, Esq. will take negotiation serious. If one side has everything while that person (Sarita) is working and the other side (me) spends almost everything he has (money, time, and energy) trying to correct that situation while he is unable to work as a result of such a slaughter besides his injuries from his car accident, then it is in the hands of the court to try and straighten this matter out or continue the slaughter against me and continue to be sued.

(2) During the Spring/Summer of 1995, after my partial recovery of the May 10, 1994 car accident, Sarita and I began trying to negotiate by writing back and forth notes (one page letters). At this period in time, Sarita was threatening Jillian to be a juvenile dependent at the Judge Joseph A. Smyth May 23, 1995 juvenile court hearing and again at the Judge Paul W. Tressler July 6, 1995 juvenile court hearing. Sarita knows how to use various types of threats to my children to keep them away from me (see Number 24 sec. c and f) First, she illegally used Montgomery County Court to keep me away from my daughters and then she used the threats of juvenile court and juvenile dependency, as well as threatening to send Jillian to a Wilderness Outpost Program in Oregon. She also used threats of psychiatrists and hospitals to keep Jillian away from me.

Imagine, in one of Sarita's one page letters to me, she states that she would withdraw the juvenile dependency action that she had allegedly claimed against Jillian if I would come up with favorable negotiations in our divorce situation. Sarita was using Jillian as a pawn to attempt to get even more favorable negotiations in our divorce/custody/support case. Jillian and I have experienced great tyranny from the court system and Sarita. This must stop now!

32. Once again, the court (now via Judge Paul W. Tressler of juvenile court who was in the past involved in my case in Montgomery County Court) criminally breaks the rules of the court (replete with procedural irregularities) to oblige Sarita. Instead of bringing fairness to the case and correcting the situation by taking this opportunity to correct a past error made by the previous judges in the case, each new Montgomery County Court Judge in our case seems to have an obligation to protect the criminal acts made against me in this case by previous judges and therefore protects the criminal conspiracy of the previous judges which therefore helps accommodate Sarita and her lawyer, Gutin.

Briefly, we appealed two different Judge Smyth's orders into the Superior Court (No. 1916Ph195 & No. 2077Ph195) and filed a King's Bench (No.113E.D. misc. DKT 1995) into the Pennsylvania Supreme Court:

Defendants' Petition for Extraordinary Relief Pursuant to Pennsylvania Rules of Appellate Procedure (pages RR 2528 RR 2797) which should have divested the juvenile court (judges) of jurisdiction to preside over Jillian Schapiro's dependency case. Also filed with the juvenile court's prothonotary:
Motion for Stay of Jillian Schapiro's Dependency Proceedings Pending Disposition of Her Petition for

Extraordinary Relief to the Supreme Court of Pennsylvania and Appeal of This Matter in the Superior Court
(pages RR 3073 - RR 3084)

Instead, Judge Paul W. Tressler held the May 23, 1995 hearing at Sarita's wishes and against the rules of the court. And, the order resulting from this hearing was also appealed into the Superior Court.

NOTE: This is the hearing (May 23, 1995) that Jillian stated to Judge Paul W. Tressler that she wanted to live with me. The Juvenile Court Prothonotary would not send the record to Superior Court like they are required to and continued to delay; therefore preventing our briefs from being prepared and submitted in a timely fashion where it would have been of some effect to help the situation. Also, Judge Paul W. Tressler frustratingly prevented me from from receiving timely my daughter's transcript, even though there was a statement in the docket from Judge Smyth, that I be allowed to receive my daughter's records etc...mailed to my Benson Manor address. At the May 23, 1995 hearing, Judge Paul W. Tressler ordered that Jillian obey certain rules and regulations of which Judge Paul W. Tressler made impossible for me to receive. There were other irregularities!

33. Montgomery County Court Judges were and are violating my due process rights by not allowing me to have my claims timely heard; by not allowing me to be heard by an impartial tribunal; by not allowing me to present my defense and my witnesses against any allegations made against me. (see Number 20 sub9 and sub 3 of this emergency petition).

    1. If the custody issue would be timely heard, there could have been long ago equal custody and equal support in this case.

2. If the exceptions to the support Master Santangelo's decision of his spousal and child support determinations at July 27, 1992 support hearing would have been timely heard, there would not have been these (and still are) false arrearages and I would have been able to prevent my home from being sold, and for me to buy out Sarita's portion of the house and no bench warrants, bail revoking, and jail.

3. If Roger Boe Reynolds, Jr. would not have delayed with the help of Judge Bernard Moore allowing Reynolds, Jr. to delay this fraud and perjury on the court, and then have buried the evidence of Sarita's perjury and fraud on the court, and, the court would have let my witnesses testify:

   Voice Expert: Reynolds allowed the voice expert only to testify to 80 pages of his voyeur and not testify to the voice expert's two reports which prove that it was Linda Smith's voice on the tape, which I paid several thousands of dollars to have performed (voice analysis). Reynolds. Jr. was the one who ordered and strongly suggested that a voice expert be used. When Reynolds, Jr. learned from the expert's two reports that it was Linda Smith's voice on the tape, recanting her testimony in my favor, Reynolds, Jr's. answer was that "Voice analysis is not acceptable in Pennsylvania Courts", and he buried this proof when he finally wrote his report one year after his eight hearing involvement.

   My Daughters: Several times subpoenaed and the court did not enforce Sarita's not obeying the subpoenas.

   My Psychologist, Dr. Jack Lit: Should have been allowed to testify at the November 7, 1991 hearing. Judge Horace A. Davenport made Dr. Lit get down

from the witness stand without testifying.

I may have been allowed to return to my home, have equal custody and equal support and all the orders from Judge Davenport's regime to the present would have been vacated.

34. Of my keogh monies that I early withdrew near the time of our separation, I still owe a 10% penalty to the government for early withdrawal plus less than 1/3 of that keogh money to be paid back in taxes for early withdrawal plus over four years of interest penalties I still need to pay.
(Note: This is out of my character, all throughout our marriage I have been very particularly careful in paying our bills to not pay any interest charges).

On the other hand, Sarita has an intact $60,000 keogh at the time of our separation, of which incidentally I paid ¾ and according to the current stock market has nearly tripled in value since I paid for most of her keogh.

I have completely spent my early withdrawal keogh monies to defend against a bad faith litigation, criminal activities performed by past judges, my repeatedly trying to communicate with the Pennsylvania courts to try to make this case equal and fair by their correcting the obvious past errors.

The ridiculous $75,000 Alimony Pendente Lite was awarded to Sarita without the court's knowledge that I was on disability! Master of Support Santangelo incorrectly used to calculate support my highest year of earnings (gross) in 1990 which was one year before our separation and my being on disability. Now this $75,000 APL must be credited to me and applied against my $70,000 arrearages! Why should I have been in jail if I didn't owe anything? After the court corrects for Sarita's extreme over-deductions, and uses a figure closer to her gross (approx. $300,000) to determine support calculations rather than her ridiculous over-deducted net of $44,000 and after the court

corrects the past 2¼ years of erroneously basing my support calculations on $14,500 a month instead of my disability of $5,000 a month, Sarita will owe me. It was illegal for the court to keep me in jail while the court takes it time correcting this particular set of errors when the mathematical corrections are so obvious. Sarita also owes me for post-divorce alimony. This court needs to correct the above, let me be with my children to directly support, and let me try to get back to my professional work, podiatry.

Sarita is about to move from her house in Rydal this June, 1996. This would be the next opportunity for the court to order Sarita to return ½ of my furniture to me and all my grandparents' and mother's antiques, furniture, and jewelry.

35. I have a hard time dealing with criminals, dishonest people and people (judges) who continuously break their own rules:

    1. I MAKE A MOVE, e,g, - petitions, law suits.

    2. THE COURT ILLEGALLY MAKES TWELVE MOVES - BUT TWELVE CRIMINAL MOVES (See Number 20) This case is replete with criminal acts by the Montgomery County Court and the court covering up the criminal acts performed by Gutin Esq. and Sarita and the higher courts not wanting to get involved and their accepting this behavior as normal policy.

    3. THE COURT PUNISHES ME (JAIL, BENCH WARRANTS, BAIL, BAIL REVOKING, SANCTIONS) FOR THE ONE MOVE I DO MAKE.

The court needs to let me be the successful Podiatric Surgeon and terrific father that I was and can be by their starting to add some fairness to this case, by the court correcting the past criminal errors it made against me and stop the past trend of each new judge progressively making the situation even worse and

therefore stop its seemingly irreversible path of destruction. If the present judge stays oblivious to the special circumstance of this case and fails to correct the past errors, then higher court intervention will be necessary.

Imagine, one of my main lawyers of my case, Neil H. Stein, Esq.[20], who was totally paid approx. $40,000 from me for legal fees was Sarita's lawyer, David Gutin, Esq.'s partner approx. 10 years prior to the date I hired him and Neil Stein, Esq. never told me about this partnership prior to my discovering it almost 1 year later after I hired him. Neil Stein, Esq. sabotaged me by withholding from filing for many months an important petition that he wrote concerning several money matters such as Sarita to pay me Alimony Pendente Lite and counsel fees and other special relief until after my estate was sold even after I had paid him approx. $7,000.

I will try to slowly get back to my professional work, podiatry, as the court allows me to have a relationship with my children, as the court allows me to directly support my children, as the court removes all its threats against me (release its tyranny) by correcting its past errors it has made and allowed to occur in this case, as the court makes this case fair and as I can continue my needed physical therapy.

I hope to be able to prove to the courts this one promise that I will make to the courts that when I get to be with my daughters regularly that I will do everything in my power to do what is right for my children, to keep them healthy, safe and try to make them happy. I need and they need for me to be in their lives. It is in our best interest. I want this privilege to directly support my daughters.

FOR THE JUDGE:

1. TO DO NOTHING IS SUABLE!
2. TO CONTINUE THE SAME CRIMINAL CONSPIRACY PATTERN OF THE PREVIOUS JUDGES IN THEIR CASE IS SUABLE!

3. **THERE NEEDS TO BE AN EMERGENCY HEARING IN FRONT OF A JUDGE TO CORRECT THE PAST 4¾ YEARS OF ERRORS WITH THE POSSIBILITY THAT IF THIS EMERGENCY HEARING CAN BE COMBINED (THEREBY SAVING LEGAL COST AND TIME) WITH THE NEXT HEARING FOR THE EXCEPTIONS TO THE MASTER OF SUPPORT.**

37. There will be nor more extortion of money, etc. in advance (up front). The Montgomery County Court must completely and correctly modify support and correct the errors that it has made in the past 4 years and 9 months in this case by previous judges. There is over a 4.4 million dollar disparity between my wife and me since the September 23, 1991 separation.

    I do not want to pay my wife anything to help her steal my children away from me, especially when I do not owe any money to her and because she owes me a huge chunk of money and half of my furniture, etc. My wife has "Temporary Custody" of my two daughters long enough. It is my turn to have the privilege to directly support my children.

    My wife has written out in her own handwriting her proposal on February 8, 1992 (2 pages have been attached to support my writings) that I would have equal custody and equal support with her but then one month later she decided to not even let me see or talk to my children, because she can get away with this because of her political connections with the court. The court would not even enforce its own minimal visitation orders.

    I was unable and prejudiced to defend my whole case from a "RAT TRAP JAIL." I don't want to deal with this court system, judges, criminals, tyrants, lawyers, jail, etc...I just want to be with my daughters to take care of them and see them grow up (meantime using my entire disability money to support), to try to get back to work, to have fair treatment with the court by their correcting every aspect of the case.

I should not have been sitting in jail until the court finally corrects all aspects of this case. the court needs to completely correct its errors. There is nothing further that I am going to do except come to the court and help guide your correction. The court needs to stop its threats against me such as bench warrants, bail, bail revoking, sanctions, and putting me in jail. Without these threats, I would come into court (more often than the court would want) for custody of my two daughters, support modification and to help correct these errors that the court has made in my case.

38. Is there no court in the United States of America where you can get justice and fairness in a case where there has been no justice, only judges engaged in a criminal conspiracy pattern through politics to deprive me any contact with my two daughters, my rights to be a parent, my right to directly support my children, my due process rights and equal protection under the law, my right to return to my professional work, Podiatry, my monies, my property, my freedom, my life, liberty, and pursuit of happiness, and the higher courts not wanting to get involved and/or criminally covering up the criminal acts (judges breaking their own laws to accomplish what they have illegally done against me) performed by judges of the Montgomery County Court of Pennsylvania working very closely and illegally with the lawyers of the law firm of Astor, Weiss, Kaplan and Rosenblum?

Respectfully submitted,

June 14, 1996

Paul J. Schapiro, D.P.M.

Paul J. Schapiro, D.P.M.
Benson Manor, Suite 623
101 Washington Lane
Jenkintown, PA 19046
(215) 422-9028

VERIFICATION

The undersigned verifies that the within

CONCISE STATEMENT OF MATTERS COMPLAINED OF ON APPEAL TO THE SUPERIOR COURT
(THE CONCISE STATEMENT)

is true and correct to the best of my information, knowledge, and belief, and is made subject to the penalties of 18 PA. C.S. 4904 relating to unsworn falsification to authorities.

DATE: 4/24/26

PAUL J. SCHAPIRO, D.P.M.

Benson Manor, Apt.623
101 Washington Lane
Jenkintown, PA 19406

Montgomery County Correctional
60 Eagleville Road
Norristown, PA 19403-1400
H - 2 #326

TO THE COURT:

Case # 91-18417
Case # 53679

AGREEMENT 1-22-96 (Revised)

I will sign the insurance form as part of an agreed arrangement when the court deals with my getting access to my children (CUSTODY) - ENFORCED BY THE COURT

AND

where we correctly and completely modify support retroactive to September 23, 1991:

1. The date I was wrongly put out of my home.
2. The date I stopped my Podiatry Practice.
3. The time period that Sarita threw my Podiatry office out of my home.
4. The time period that Sarita made it almost impossible for me to see and talk to my children - she torturously interfered with my minimal visitation rights.
5. The period of time when I learned of the politics that were involved in this case.
6. The date my change of circumstances began.
7. The date I first began receiving $5,000.00 / month Disability payment from Monarch Insurance Company (Diagnosis: Preoccupied trying to get justice in the court.)

(Psychologist, Dr. Jack Lit's Medical Diagnosis:
"ADJUSTMENT REACTION WITH MIXED EMOTIONAL FEATURES")
(Court incorrectly calculated my support based on $14,500.00 per month)

AND

The court eliminate in writing the entire:

1. Alimony Pendente Lite $350.00/week - (Approx. $75,000.00) awarded to Sarita (who earns $311,000.00 gross in 1992) - To support her Bad Faith Litigation.

2. Judgment against me - $70,000.00 (Sarita owes me money).

3. Bail revoked $75.000.00

The court needs to notify the Insurance Co. to adjust or to remove the court's attachment against Insurance Company's payment.

The court must use a figure halfway between Sarita's Net and her Gross to calculate correctly the support because of Sarita's pattern of over-deducting on her taxes.

For 1995, the court must use Sarita's filed 1995 taxes and not base support calculations on her hearsay.

I should get some credit of deducting against my monthly disability money for rent to keep my Podiatry files, some equipment, legal help and other efforts to eventually try to get back to work.

Other issues to be corrected will be dealt with outside of this agreed arrangement and signing.

Paul J. Schapiro, D.P.M.